

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Annual Assessment of the Status of	)	MB Docket No. 12-203
Competition in the Market for the	)	
Delivery of Video Programming	)	

**COMMENTS OF  
LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT**

Louisville/Jefferson County Metro Government (“Metro”) submits these comments in response to the above-captioned Notice of Inquiry (“NOI”), released July 20, 2012, seeking “data, information, and comment on the state of competition in the delivery of video programming.”

Metro provides a wide range of services to the almost 750,000 residents who live within the 386 square miles of its community, including MetroTV, a robust Government Access Channel. Metro is responding to the specific request for information concerning PEG operations contained in paragraph 24 of the NOI:

**1. How many channels does your MVPD operator(s) provide for PEG programming?**

Metro has two MVPD operators: Time Warner Cable (“TWC”) and AT&T U-verse (“AT&T”). TWC provides 2 PEG channels (MetroTV Channel 25 and Public Access Channel 98). AT&T only provides 1 PEG Channel (MetroTV) and that channel is only accessible inside an on-demand menu.

**2. On which tier are these channels placed and is extra equipment required to view them?**

The 2 access channels on TWC are available on the basic tier. AT&T places MetroTV on its "Channel 99 PEG product". Both TWC and AT&T require extra equipment to view the access channels.

**3. Are there more or fewer PEG channels carried on MVPD systems than were carried as of June 2010?**

No.

**4. What data sources exist to track the availability of PEG programming?**

TWC has its entire lineup, including PEG programming, on the internet & gives a lineup card, which includes PEG programming, to new customers. Metro is not aware of the data sources which may or may not exist to track the availability of PEG programming on AT&T.

**5. Is there any evidence that AT&T's "Channel 99 PEG product" has hurt PEG viewership? Have there been any consumer complaints about PEG accessibility on U-verse?**

Metro does not have any data regarding AT&T's Channel 99 PEG product. However Metro has received public comments requesting that AT&T move MetroTV out of its Channel 99 PEG product and into its "traditional" lineup because of difficulty accessing the Channel 99 PEG product. Metro was informed by AT&T that MetroTV would have to pay AT&T to add MetroTV to its "traditional" lineup.

**6. Provide general information about PEG programming in your community. If applicable, explain how cutbacks in financing, state law changes, new technology, and have affected PEG programming in your community.**

MetroTV is national award-winning government cable television station making Metro more accessible and understandable to citizens through coverage of Metro Council meetings and press conferences. MetroTV also produces a variety of programming to keep residents informed about Metro government, government services and community life in Louisville Metro.

MetroTV develops professional quality programming for cablecast on Louisville Metro's government access channel; provides programming that is fair, accurate, balanced and without regard to partisanship or ideology; increases citizen access to Metro government meetings through live and recorded gavel-to-gavel televised coverage; and informs citizens on the operations and activities of Metro government and its agencies. Additionally, MetroTV provides informative television programs of interest and value to residents which are not otherwise available or provided by other sources; provides programming through which the quality of community life may be improved and viewership of the government access channel may be increased; covers public issues of concern to residents; and provides services within reasonable accommodation to afford an individual with a disability an equal opportunity to participate in, and enjoy the benefits of MetroTV. MetroTV also, creates a library of programming for historical preservation and uses community resources and college interns to maximize programming and minimize costs.

Respectfully submitted,

Louisville/Jefferson County Metro Government

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